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D. Hammer
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65805

Kouji HIRAYAMA et al.

Appln. No.: 09/933,000

Group Art Unit: 1743

Confirmation No.: 6965

Examiner: Lyle Alexander

Filed: August 21, 2001

For: TEST APPARATUS FOR ASSAYING A COMPONENT IN A LIQUID SAMPLE

RESPONSE UNDER 37 C.F.R. § 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is submitted in response to the Office Action dated April 9, 2003, in which the Examiner set a three-month period for response. Review and reconsideration on the merits in view of the following remarks is respectfully requested.

Please consider the remarks as submitted herewith on the accompanying pages.

REMARKS

Claims 11-17 are all the claims pending in the application.

Initially, it is noted that the Examiner has not yet acknowledged Applicants' claim to priority under 35 U.S.C. §119, nor has the Examiner confirmed receipt of the priority document. The Examiner is respectfully requested to do so.

In addition, it is noted that the Examiner has not returned an initialed and signed copy of the Form-1449 filed on August 21, 2001, and therefore, the Examiner is respectfully requested to do so.

I. Non-statutory Double Patenting Rejection